

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL ZACHARY
WHITECRANE,

Defendant.

CR 20–114–BLG–DLC

ORDER

Before the Court is United States Magistrate Judge Timothy J. Cavan’s Findings & Recommendations Regarding Revocation of Supervised Release. (Doc. 60.) Because neither party objected, they are not entitled to *de novo* review. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan found, based on Defendant Michael Zachary Whitecrane’s admissions at the hearing, that he violated three conditions of supervised release:

(1) the mandatory condition that he must not unlawfully possess a controlled substance; (2) the special condition that he must participate in substance abuse treatment; and (3) the standard condition that he must report to the probation officer as instructed. (Docs. 47 at 2–3; 60 at 6.)

Judge Cavan recommends that this Court revoke Whitecrane’s supervised release and sentence him to a custodial sentence of ten months, with no term of supervision to follow. (Doc. 60 at 7.) The Court finds no clear error in Judge Cavan’s Findings and Recommendations and adopts them in full.

Accordingly, IT IS ORDERED that Judge Cavan’s Findings and Recommendations (Doc. 60) is ADOPTED in full.

Defendant Whitecrane shall be sentenced in conformity with Judge Cavan’s recommendation in the judgment filed concurrently with this Order.

DATED this 26th day of June, 2025.



Dana L. Christensen, District Judge
United States District Court